

Application No.: 08/794,637

Attorney Docket No.: 5033.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John S. HENDRICKS, et al.

Examiner: C. Grant

Serial No.: 08/794,637

Art Unit: 2611

Filed: February 3, 1997

For: BANDWIDTH ALLOCATION FOR A TELEVISION PROGRAM
DELIVERY SYSTEM



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Box Fee Amendment
Commissioner of Patents
Washington, D.C. 20231

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RESPONSE

Sir:

In response to the August 15, 2002 Office Action, the period of time for response extended by the Petition for Extension of Time filed herewith, the Applicants respond as follows:

REMARKS

Claims 1, 2, 4-25, 28-158 are pending. Reconsideration and allowance of the claims are respectfully requested.

Applicants thank Examiner Grant for indicating that claims 8-25, 28-52 and 61-158 are allowed.

On page 2 the Office Action rejects claims 1-2, 4-7 and 53-60 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the Office Action states that the specification fails to enable one skilled in the art to make and/or use "selecting specific programs received from television programming sources, wherein the step of selecting uses an algorithm to select specific programs based on each programs' bandwidth requirement."

Applicants respectfully assert that the specification does enable one skilled in the art to make and/or use this feature. For example, on page 8, lines 13-18, the specification states: